

Substantive
cancellation

Information profile identifying one of the plurality of telephony processes which is the source of the incoming communication; and

B. program logic, responsive to the information profile, and configured to selectively notifying a user of the incoming communication by transmitting a responsive packet over the computer network in accordance with the identity of the source.

REMARKS

Introduction

Claims 1, 12, 23 and 31 have been amended. The application continues to include claims 1-31. Reconsideration of the rejection of the application is respectfully requested in view of the above amendments and the following remarks.

The Claims Clearly Define the Invention

Claims 1-31 are rejected under 35 U.S.C. § 112, second paragraph as being indefinite. The claims have been amended to recite "a packet-switched computer network over which packets from a plurality of packet-based telephony processes are transmitted" and similar limitations that do not recite "connecting" and are clearly understandable. In one embodiment of the present invention, telephony processes are software processes, executed by end-user devices, that connect to a packet-switched network such as the Internet. The telephony processes attempt to initiate point-to-point packet-based telephone calls with other telephony processes over the network by transmitting packets over the network.

Based on the foregoing, Applicants respectfully request that the rejection be

withdrawn.

The Claims Are Allowable Over the Prior Art

Claims 1, 12, 23 and 31 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Oberlander et al., U.S. Pat. No. 5,825,865 ("Oberlander") in view of Scagnelli et al., U.S. Pat. No. 5,816,919 or Saxe, U.S. Pat. No. 5,636,346. Claims 2-11, 13-22 and 24-30 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Oberlander in view of Scagnelli et al. or Saxe and further in view of Blonder et al., U.S. Pat. No. 5,708,422. Reconsideration of these rejections is respectfully requested because Oberlander and the other cited prior art fails to disclose packet-based telephony processes that send an information profile packet, and respond by transmitting a responsive packet based on an identity of a source.

Oberlander discloses a communication system that supports an information profile for each user. A network 101 switches and routes messages from a variety of message sources to a variety of destinations. See col. 3, ll. 32-37. The messages include a message descriptor 300 that includes many information fields. See col. 4, ll. 43-46.

Oberlander fails to disclose many features of the present invention. For example, communication network 101 in Oberlander is disclosed as a “switching network (101) in accordance with well understood prior art technique” See col. 3, ll. 33-35. It appears that network 101 is therefore a well known circuit-switched network that was normally used for telephonic communication (and still is) in 1991 when Oberlander was filed. Oberlander fails to disclose that network 101 is a packet switched network.

Further, Oberlander fails to disclose telephony processes having a dynamically assigned protocol address, and fails to disclose a recipient of a information profile responding with a responsive packet.

In contrast to Oberlander and the other cited prior art, independent claim 1 recites a “packet-switched computer network”, “telephony processes having a dynamically assigned protocol address”, and “transmitting a responsive packet over the computer network”. For at least these reasons, claim 1 should now be allowable.

Independent claims 12, 23 and 31 include similar limitations as claim 1. Based at least on the foregoing, these claims should also be allowable. The remaining claims each depend from one of the above independent claims, and therefore should also be allowable based at least on the foregoing reasons.

Conclusion

Applicants respectfully request entry of the above amendments and favorable action in connection with this application.

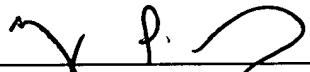
The Examiner is invited to contact the undersigned to discuss any matter concerning this application.

The Office is hereby authorized to charge any fees required under 37 C.F.R. §§
1.16 or 1.17 or credit any overpayment to Kenyon and Kenyon Deposit Account No.
11-0600.

Respectfully submitted,

KENYON & KENYON

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

1. (Twice Amended) In a packet-switched computer network [having] over which packets from a plurality of packet-based telephony processes are transmitted, the telephony processes having a dynamically assigned protocol address [connected thereto], a method of selectively alerting a user of an incoming communication over the computer network comprising the steps of:

A. receiving a call packet containing an information profile identifying one of the plurality of [the] telephony processes which is the source of an incoming communication [the information profile including any of first name, last name, street, apartment, city, state, country, postal code, or company data associated with the source]; and

B. responding to the incoming communication by transmitting a responsive packet over the computer network in accordance with the identity of the source.

12. (Twice Amended) A computer program product for use with a computer system capable of executing a telephony process and [connecting to] communicating with other telephony processes over a packet-switched computer network, the telephony processes having dynamically assigned protocol addresses, the computer program product comprises a computer useable medium having embodied therein program code comprising:

A. program code for receiving an incoming communication over the computer network, the incoming communication containing a call packet containing an information profile identifying one of the plurality of [the] telephony processes which is the source of the incoming communication [the information profile including any of first name, last

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name, street, apartment, city, state, country, postal code, or company data associated with the source]; and

B. program code, responsive to the information profile, for selectively notifying a user of the incoming communication by transmitting a responsive packet over the computer network in accordance with the identity of the source.

23. (Twice Amended) A computer data signal embodied in a carrier wave comprising:

A. program code for receiving an incoming communication over a packet-switched computer network [operatively interconnecting] over which packets from a plurality of packet-based telephony processes are transmitted, the telephony processes having a dynamically assigned protocol address, the incoming communication containing a call packet containing an information profile identifying one of the plurality of [the] telephony processes which is the source of the incoming communication [the information profile including any of first name, last name, street, apartment, city, state, country, postal code, or company data associated with the source]; and

B. program code, responsive to the information profile, for selectively notifying a user of the incoming communication by transmitting a responsive packet over the computer network in accordance with the identity of the source.

VERSION WITH MARKINGS TO SHOW CHANGES MADE

31. (Twice Amended) An apparatus for use with a computer system capable of executing a telephony process and [connecting to] communicating with other telephony processes over a packet-switched computer network, the telephony processes having dynamically assigned protocol addresses, the apparatus comprising:

A. program logic configured to receive an incoming communication over the computer network, the incoming communication containing a call packet containing an information profile identifying one of the plurality of [the] telephony processes which is the source of the incoming communication [the information profile including any of first name, last name, street, apartment, city, state, country, postal code, or company data associated with the source]; and

B. program logic, responsive to the information profile, and configured to selectively notifying a user of the incoming communication by transmitting a responsive packet over the computer network in accordance with the identity of the source.